

Patent
Attorney's Docket No. CCK94028RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Douglas R. CARDY et al.) Group Art Unit: 2614
Application No.: 10/054,245) Examiner: J. Phan
Filed: January 24, 2002)
For: TELECOMMUNICATIONS)
SYSTEM HAVING SEPARATE)
SWITCH INTELLIGENCE AND)
SWITCH FABRIC)

U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

STATEMENT REGARDING SUBSTANCE OF INTERVIEWS

In response to the telephone interviews on February 11, 2009 and February 13, 2009, the applicants submit the following remarks.

Remarks being on page 2 of this paper.

REMARKS

Initially, the applicants wish to thank Examiner Phan for the courtesy extended in the telephone interview on February 11, 2009 and the follow up telephone interview on February 13, 2009.

During the telephone interview on February 11, 2009, Examiner Phan indicated that the outstanding Restriction Requirement would be withdrawn. The applicants acknowledge, with appreciation, the indication that the Restriction Requirement would be withdrawn.

Examiner Phan also indicated that the pending rejections based on the prior art of record would most likely be withdrawn. However, the Examiner indicated that he discovered another reference, U.S. Patent No. 5,712,903 to Bartholomew et al. (hereinafter Bartholomew), that may be applied to reject some of the pending claims. Examiner Phan also requested clarification as to how raw or unprocessed data which is associated with user activity at a telephone device, as recited in claim 11, is received by the switch intelligence. The applicants' representative indicated that he would review Bartholomew and the feature recited in claim 11 and get back to Examiner Phan on or before February 13, 2009 to discuss these issues in more detail.

In the follow-up telephone interview on February 13, 2009, the applicants' representative pointed out that Bartholomew included overlapping disclosure with Wheeler, Jr. (U.S. Patent No. 5,583,920; hereinafter Wheeler), which was applied to reject previously provided claims several Office Actions ago. The applicants' representative respectfully requested that the Examiner review arguments made with respect to Wheeler in the responses filed October 21, 2004 and February 21, 2006 before applying Bartholomew to any of the pending claims since Bartholomew includes a similar call processing environment as Wheeler. The Examiner agreed to review these previous

responses before issuing any Office Action using Bartholomew. The applicants appreciate the Examiner's cooperation with respect to attempting to expedite allowance of this application.

As to the potential issue raised by the Examiner with respect to the switch intelligence receiving notification of a facility related event associated with a call from a switch fabric, where the facility related event is received as raw or unprocessed data which is associated with user activity at a telephone device, as recited in claim 11, the applicants' representative noted that this language was included in the claims based on the Examiner's previous suggestion. For example, in the personal interview on July 31, 2007, the term "facility related event" was discussed and the Examiner indicated that he would review the prior art of record (e.g., Christie) with respect to this feature and possibly provide suggestions to overcome the prior art and expedite prosecution of this application (See Interview Summary dated July 31, 2007). During a follow up telephone interview on August 31, 2007, the Examiner provided a suggestion that further clarifying the term "facility related event" to indicate that the facility related event is received as raw or unprocessed data which is associated with user activity at a telephone device would overcome the outstanding rejections (See Remarks at page 21 of the Amendment filed September 4, 2007, documenting the substance of the telephone interview of August 31, 2007).

To expedite prosecution, the applicants added the Examiner's suggested clarification with respect to the term "facility related event" to independent claims 11, 22, 29, 30, 40, 44, 45, 47 and 51. Therefore, the applicants are not sure why this feature allegedly raises any issues with respect to the pending claims.

In any event, as discussed in the telephone interview on February 13, 2009, in an exemplary implementation, Switch Fabric Proxy Service 208 provides raw signaling data to Facility Service 204. The information may be provided by Switch Fabric Proxy Service 208 in the form of facility

related events. See U.S. Patent No. 6,041,109 to Cardy et al. (the U.S. patent for which this Reissue application has been filed) at col. 7, lines 43-52. Cardy et al. further discloses that Switch Fabric Proxy Service 208 provides this information in an unprocessed form, which allows Facility Service 204 to process the data into abstract events for Call Segment Instance 306.

Lastly, the applicants note that a response to the outstanding Restriction Requirement was filed on June 16, 2008 and no further Office Actions have been issued to date. To avoid any further delay and to expedite allowance of all pending claims, the applicants respectfully invite the Examiner to contact the applicants' representative at the number shown below if any issues can be resolved via an Examiner's Amendment, another telephone interview or a personal interview.

CONCLUSION

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-4752 and please credit any excess fees to such deposit account.

Respectfully submitted,

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